

under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, may by payment of accrued interest be given two years' additional time in which to return the principal, and declaring an emergency.

Be it enacted by the Legislature of The State of Texas:

Section 1. The counties of this State that have borrowed money from the State of Texas under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, may secure an extension of their obligation for a period of two years by the Commissioners' Court making an application to the Comptroller of the State of Texas at any time prior to the maturity of the entire obligation made by the county to secure the loan from the State of Texas, provided that all accrued interest must accompany the application and the application shall be signed by the County Judge and not less than three County Commissioners. When the extension is granted, as herein provided, the obligation of the county shall continue to bear interest at the same rate as provided in Section 13, Chapter 4, Acts of the Fourth Called Session of the Thirty-fifth Legislature, and interest shall be paid annually.

Section 2. The facts that the obligations due the State of Texas from some of the counties that borrowed money from the State under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, are now or soon will be due, creates an emergency and an imperative public necessity which requires the suspension of the constitutional rule that all bills be read on three several days and the rule is hereby suspended and this Act shall take effect and be enforced from and after its passage, and it is so enacted.

TWENTY-FIFTH DAY.

Senate Chamber,
Austin, Texas, Feb. 17, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bell.	Westbrook.
Clark.	Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Senate Concurrent Resolution No. 21.

(By unanimous consent.)

Resolved by the Senate, the House of Representatives concurring, That Senate Concurrent Resolution No. 17 be rescinded and repealed.

MCNEALUS.

The resolution was read and adopted.

Bills and Resolutions.

By Senator Alderdice:

S. B. No. 294, A bill to be entitled "An Act to provide for a general educational survey of the State of Texas, to create a committee, prescribe their duties, make appropriations to carry out the provisions of this Act, and declare an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Dayton:

S. B. No. 295, A bill to be entitled "An Act to provide for a general educational survey of the State of Texas, to create a committee, prescribe their duties, and make an appropriation to carry out the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Dayton:

S. B. No. 296, A bill to be entitled "An Act to provide an adequate method of regulating the practice of civil engineering and surveying in the State; defining civil engineering and surveying; creating a Board of Engineering Examiners and prescribing its powers, duties and compensation; providing for a special fund to be derived from fees; providing for certificates of registration and for examinations and licensing civil engineers and surveyors; defining the qualifications of civil engineers and surveyors; prescribing the mode and manner of holding examinations, and the form of licenses; authorizing the issuance of licenses without examination under certain conditions; fixing fees; providing for a record of certificates of registration and licenses; providing for issuance of surveyors' licenses to civil engineers without examination under certain conditions; fixing the life of certificates of registration and licenses, and providing for renewals thereof; authorizing the issuance of temporary licenses; providing for revocation of certificates of registration and licenses; providing for appeals; providing a penalty for the practice or attempted practice of civil engineering or surveying without a license or certificate of registration; requiring certain classes of reports, maps or other official documents to bear certificates of a registered or licensed civil engineer or surveyor; providing for exemptions under certain conditions; repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Dayton:

S. B. No. 297, A bill to be entitled "An Act to amend Section 122, Chapter 96, Acts of the Thirty-second Leg-

islature of the State, relating to certification of teachers."

Read first time and referred to Committee on Educational Affairs.

By Senators Dayton and Alderdice:

S. B. No. 298, A bill to be entitled "An Act to amend Section 3, Chapter 73 of the General Laws of the State of Texas passed at the Fourth Called Session, the same being an Act providing for the payment of motor vehicle fees to county tax collectors and directing the deposition of fees, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Dayton:

S. C. R. No. 22. Relating to the regulation of Cotton Exchanges, and requesting our representatives in Congress to provide such regulations, and for the appointment of an Assistant Secretary for each cotton exchange and requiring all sales and purchases of cotton on said exchanges to be reported to such Assistant Secretary.

Read first time and referred to Committee on Agriculture.

By Senator Alderdice:

S. J. R. No. 22. A joint resolution proposing to amend Section 3, Article 7, of the Constitution of the State of Texas so as to authorize the levy and collection of a county school tax of not to exceed fifty cents on the hundred dollars valuation for public free school purposes.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Dayton:

S. B. No. 299, A bill to be entitled "An Act to make certain deficiency appropriations out of the general revenue for the Girls' Training School, Gainesville, Texas, for the fiscal year ending August 31, 1919, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Suiter:

S. B. No. 300, a bill to be entitled "An Act to amend Article 7684, of the Revised Civil Statutes of Texas, 1911, by providing a period of limitation, within which action must be

brought, to foreclose liens upon land, securing taxes, providing a period within which such lien shall be barred; and to amend Article 7662 of the Revised Civil Statutes of Texas, 1911, relating to liens for taxes, by providing that no delinquent taxpayer shall have the right to plead limitation, by way of defense, against any taxes due by him, or her, either to the State, or any county, city or town, but that the lien created against any real estate involved, shall be barred after certain periods of time stated in this Act; and by adding Article 7662a, providing a period within which officers, collecting delinquent taxes, shall be paid their costs, and said officers, collecting taxes and keeping records, shall collect their costs, and that unless collected within two (2) years the same shall become barred, and providing that cost of advertising, paid by the State, county or city, together with the interest on said delinquent taxes, shall not be barred; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Suiter:

S. B. No. 301, A bill to be entitled "An Act for the purpose of escheating a railroad and its property to the State, when such road has abandoned operation of the road or is threatening to abandon operation, prescribing the duties of the attorney general of the State of Texas in filing suit for such purpose; providing for judgment after trial escheating such road; providing for filing said judgment with railroad Commission, and that said commission shall take charge of the property of said road, and administer same, as provided in this Act; providing for the operation, leasing, or sale of such road, and the determination and classification of all claims against said road, and for the manner and method of paying the same, declaring labor claims for six months prior to said abandonment, preferred claims; repealing all laws in conflict with the provisions of this Act; and declaring an emergency."

Read first time and referred to the Committee on Internal Improvements.

By Senator Hall:

S. B. No. 302, A bill to be entitled "An Act to amend Section 28, Chap-

ter 146, General Laws of the Regular Session of the Thirty-fourth Legislature, 1915, so as to provide for the selection of a depository for the funds of levee improvement districts, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Hertzberg:

S. B. No. 303, A bill to be entitled "An Act to amend Section 17, Chapter 190 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, approved April 4 1917 and entitled 'An Act to establish a State Highway Department, creating a State Highway Commission, and the office of State Highway Engineer; prescribing the duties of the members of the Commission and of the Engineer, and fixing the compensation of each and the qualifications of such engineer; providing for the employment of such clerical and other assistance as may be necessary in the operation of the Department; prescribing reciprocal duties for the Commission and for the county commissioners' courts of the State; directing the Commission to plan and adopt a compensative system of State Highways, and to promote the construction thereof of co-operation with the counties, or independently by the Commission; authorizing a policy of State aid to counties in road construction intended to promote a greater uniformity in the construction of highways; directing co-operation of the Department with the Federal Government in the utilization of any funds appropriated by Congress in aid of road construction in this State; authorizing the working of State prisoners on State Highways under conditions that may be agreed upon by the Highway Commission and the Prison Commission approved by the Governor; authorizing the use by the Department of the Laboratories of the University of Texas and of the Agricultural and Mechanical College of Texas for analyses of road materials; providing State regulation for all motor vehicles, the issuance of a license in evidence thereof, fixing the fees and charges therefor, and providing that such fees and charges shall constitute a part of the fund for the support of the State Highway Department; and for the distribution to the

counties of a part of the monies received from such registration fees; providing for the furnishing of identification numbers to motor vehicles and motorcycles, and for furnishing distinguishing seals for the year for which issued to such motor vehicles and motorcycles; prescribing penalties for the violation of the provisions of this Act; making an appropriation to inaugurate the work of the Department as provided in this Act; and declaring an emergency; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Witt:

S. B. No. 304, A bill to be entitled "An Act to amend Article 279, of the Revised Civil Statutes of 1911, providing that from and after the service of such writ of garnishment, it shall not be lawful for the garnishee to pay to the defendant any debt or to deliver to him any effects; nor shall the garnishee, if an incorporated or joint stock company in which the defendant is alleged to be the owner of shares or to have an interest, permit or recognize any sale or transfer of such shares or interest; and any such payment or delivery, sale or transfer, shall be void and of no effect as to so much of said debt, effects, shares, or interests as may be necessary to satisfy the plaintiff's demand; provided, however, that the defendant may, at any time before judgment, replevy any effects, debts, shares or claims of any kind seized or garnished, by giving bond, with two or more good and sufficient sureties to be approved by the officer who issues the writ of garnishment, payable to the plaintiff, in double the amount of the property garnisheed, such bond to be fixed by the court in which the suit is pending; and conditioned for the payment of any judgment that may be rendered against the said garnishee in such suit, which bond when properly approved shall be filed among the papers in the cause in the court in which the suit is pending; and in all proceedings in garnishment where the defendant gives bond as herein provided for, such defendant may make any defense which the defendant in garnishment could make in such suit, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dorrough:

S. B. No. 305, A bill to be entitled "An Act to provide for the payment by taxation, when authorized by an election in the district affected, of any certificates of indebtedness issued by any improvement district created prior to the year 1915, for drainage or levee purposes, in payment for necessary repairs of any levee damaged or partly destroyed by an overflow or flood during the year 1915, the election to be called by the commissioners' court of the county in which any such district is situated upon petition, and to be provided for, and, after being held, to be acted upon as in the case of the holding of an election in any such district under existing laws for the issuance of bonds; such tax, if authorized, to be annually levied, assessed and collected by the same agents and applied in payment of any such certificates as it would be in the case of the issuance of bonds by such district, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Hertzberg:

S. B. No. 306, A bill to be entitled "An Act to amend Article 891 of Chapter 6, Title 13, of the Penal Code of the State of Texas of 1911, as amended by Chapter 60 of the General Laws passed by the Thirty-second Legislature at its Regular Session relating to the shipment or transportation of game when lawfully killed; authorizing agents of railroad and express companies to take the affidavit of a shipper of such game in addition to the persons now authorized by law; and to repeal all laws or parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

Senate Concurrent Resolution No. 23.

Whereas, Sunday, March 2d, 1919, will be the 126th anniversary of the birth of Sam Houston, and the 83d anniversary of the adoption on his

motion of the Declaration of Texas Independence; and

Whereas, Patriotic recognition is imperatively demanded at the hands of the representatives of the people of Texas of so memorable a joint anniversary, which is associated in glorious memory with a name which is woven into the very warp and woof of the history of Texas; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That celebration of said historic anniversary be held in the Hall of the House of Representatives on Sunday, March 2d, 1919, at 3:30 p. m., by both houses of the Legislature, and that the public be invited to attend such celebration; be it further

Resolved, That a committee of three members from the House and two from the Senate be appointed by the presiding officers, respectively, of said houses to select the orator of the occasion and make all other necessary arrangements for said celebration, said committee to report its action to both houses at the earliest practicable day.

BAILEY.
JOHNSTON.

The resolution was read and adopted.

Senate Concurrent Resolution No. 24.

Whereas, The Congress of the United States has pending before its committees certain measures relative to soldier settlements; and

Whereas, The House of Representatives has pending before it H. R. 13651, being a bill making an appropriation for the reclamation of swamp lands; and

Whereas, These several measures are of great importance to the people of the United States, and particularly to the returned soldiers; and

Whereas, The Legislature of this State of Texas has submitted a constitutional amendment to the people of Texas having in view co-operative legislation of this character; and

Whereas, the Legislature of this State is contemplating the immediate passage of such laws as may be necessary to co-operate with the United States Government in these enterprises; therefore, be it

Resolved, by the Senate of the State of Texas, the House concurring, That members of the Congress, both of the Senate and House of Representatives from Texas, be, and they are hereby urged to secure the adoption of the measures mentioned now pending in the Congress of the United States before the adjournment of the present Congress; that it is the opinion of the Legislature of the State of Texas that in making an active and aggressive stand at this time our Representatives and Senators in the Congress will perform a public duty of vast and far-reaching importance to the people of Texas.

That a copy of this concurrent resolution be transmitted forthwith by the Chief Clerk of the Senate to each Senator and member of Congress from Texas at Washington.

GIBSON.

BUCHANAN of Bell.

The resolution was read and adopted.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 17, 1919.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 149, A bill to be entitled "An Act authorizing counties, acting through their commissioners' courts, to purchase seed to be planted on farms in such counties by residents thereof who are poor and unable to procure same, and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations by which seed and feed will be furnished said residents of the counties who are poor and unable to procure the same; authorizing counties to use their general funds for this purpose, where they have such funds; authorizing them to issue warrants against such funds if such counties will have the same when the taxes for the year 1919 are collected; conferring certain powers and prescribing certain duties relative to the administration of this Act on the county commissioners' court and the county clerks of the various counties of the State; defining the terms of the application and the contract by which residents of the

counties, acting within the purview of this Act, may obtain seed and feed hereunder, and providing for the payment therefor by such persons; conferring certain power and authority upon the county tax collectors and county attorneys relative to the administration of this Act, providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seed and feed and the distribution of same hereunder and the terms and conditions thereof; prescribing certain duties for the Governor of Texas, the State Treasurer, the Comptroller of Public Accounts and the Attorney General of the State of Texas relative to the administration of this Act; providing for the repayment to the State of funds advanced by it; defining and creating certain offenses for violations of the terms of this Act, and providing punishment therefor; stating when operation may be commenced under this Act, and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purposes of this Act in the sum of one million dollars, and declaring an emergency."

H. B. No. 7, A bill to be entitled "An Act to amend Article 2942, of Chapter 4, Title 49, of the Revised Civil Statutes of Texas of 1911, by adding thereto authority to the holder of a certificate of honorable discharge from the military service of the United States to vote thereon without the payment of poll tax, and declaring an emergency."

H. B. No. 157, A bill to be entitled "An Act defining common carrier pipe and gas lines engaged or to engage in the transportation, sale or distribution of natural or artificial gas; declaring all corporations, persons, partnerships or associations of persons now engaged or to hereafter engage in selling, distributing and transporting natural or artificial gas in this State to be common carriers; declaring such common carriers to be public utilities and making them subject to the provisions of this Act; giving the Railroad Commission of Texas the power to regulate the rates and charges by such common carriers for service; empowering said Commission to make rules and regulations for their conduct, and

giving said Commission plenary power to make rules and regulations for the control of such carriers and power to enforce their rules and regulations and the provisions of this Act; fixing penalties for violation of this Act and the rules and orders of said Commission; making certain violations a criminal offense and fixing the penalty therefor, and providing means for the recovery of such penalties as are not made criminal, either by the State of Texas or the party aggrieved by such violation, making the tribunal in which such recovery may be had, and providing for the recovery of excessive charges by patrons of such common carriers; providing additional grounds for appointment of receivers; making this Act cumulative; providing that the invalidity of any part of this Act shall not invalidate the remaining parts hereof, and declaring an emergency."

With engrossed riders.

H. B. No. 181, A bill to be entitled "An Act amending Section 6 of Chapter 73, Acts of the Thirty-fifth Legislature, Fourth Called Session, approved April 3, 1918, and providing the compensation to be paid Tax Collectors for collection of license and transfer fees on automobiles and motor vehicles, and declaring an emergency."

The House has adopted:

S. C. R. No. 10, relating to the use of the United States flag on the public school buildings of the State.

S. C. R. No. 19, relating to the use of the Smith-Hughes fund for vocational education in this State for two years.

H. C. R. No. 29, providing for a committee to arrange for the celebration of March 2.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair, Lieutenant Governor Johnson referred, after their captions had been read, the following House bills:

H. B. No. 7, Referred to the Committee on Civil Jurisprudence.

H. B. No. 181, Referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 157, Referred to the

Committee on Internal Improvements.

H. C. R. No. 29, Was laid on the table subject to call.

Executive Session Postponed.

At 11 o'clock a. m., the time heretofore set for the Senate to go into executive session, Senator McNealus moved that the same be postponed, and the time set at 11:15 o'clock today.

The motion prevailed.

At the expiration of the fifteen minutes, the time was again postponed for another fifteen minutes, on motion of Senator Carlock.

Morning call concluded.

(President Pro Tem. Strickland in the Chair.)

Senate Bill No. 88.

The Chair laid before the Senate as pending business, on second reading:

S. B. No. 88, A bill to be entitled "An Act to amend Article 6654, Title 15, Chapter 15, of the Revised Civil Statutes of the State of Texas, by adding to the twelve numbered subdivisions thereof Subdivision 13, so as to define the term railroad station with obligations incident thereto, and to provide that station limits now existing or hereafter established shall not be changed except on order of the Railroad Commission, and to empower the Railroad Commission of Texas to fix, enlarge or diminish the limits of railroad stations within this State, and to require that station service, terminal service or switching service be given within said limits, and to prescribe the charges to be demanded and collected for such service, and to make or change rates or charges with respect to stations; restricting the operation of this Act to the movements of freights wholly within the State of Texas, and declaring an emergency."

Senator Page offered the following amendment:

(2) Amend the bill, line 23, page 2, by adding after the period in line 23 the following:

Provided that in towns of less than 5,000 population railway com-

panies shall never be compelled to extend station limits more than 1-2 mile on either side of the city limits, and in towns with a population of 5,000 or more railway companies shall not be compelled to extend said station limits for more than 2 miles on either side of city limits.

Senator Witt moved to table the amendment and this motion was lost by the following vote:

Yeas—9.

Alderdice.	Hall.
Dayton.	Hopkins.
Dorough.	Witt.
Faust.	Woods.
Floyd.	

Nays—15.

Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dean.	Strickland.
Dudley.	Suiter.
Hertzberg.	

Absent.

Bell.	Gibson.
Buchanan of Bell.	Westbrook.
Clark.	Williford.

Senator Dayton offered the following amendment:

Amend Senate Bill No. 88, page 2, line 25, printed bill, by adding the following:

"Provided that where the station limit exceeds two miles in distance, on either side of the station, the charges for switching and other transportation over and beyond said station limits shall be the same as allowed for local freight."

On motion of Senator Witt the amendment was tabled.

Senator Witt offered the following amendment which was read and adopted:

(3) Amend Senate Bill No. 88, by striking out the word "changed" in line 10, page 2, and inserting in lieu thereof the word "reduced."

The bill was laid before the Senate, read second time, and failed to pass to engrossment by the following vote:

Yeas—11.

Buchanan of Scurry.	Dorough.
Dayton.	Faust.
Dean.	Floyd.

Gibson.
Hopkins.
Suiter.

Witt.
Woods.

Nays—13.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith
Dudley.	

Present—Not Voting.

Strickland.

Absent.

Bell.	Westbrook.
Clark.	Williford.
McNealus.	

Senator Caldwell moved to reconsider the vote by which the Senate refused to pass to engrossment Senate Bill No. 88, and table that motion.

The motion to table prevailed.

Executive Session.

The Chair announced that the hour, 11:30 o'clock a. m., the hour to which the executive session had been postponed, had arrived, and directed the Sergeant-at-Arms to clear the chamber of all persons not entitled to remain.

It was accordingly done and the Senate proceeded to executive session.

The Secretary reported to the Journal Clerk that the following appointments by the Governor had been confirmed in executive session, to-wit:

To be a member of board of managers hospital for the negro insane: C. H. Fitts, Cherokee county, to succeed S. M. Tenney, Cherokee county, resigned.

To be members of the board of managers Epileptic Colony: C. T. Beckham, Taylor county, to succeed himself; I. M. Bennett, Taylor county, to succeed John Boyer, Taylor county.

To be members State Board of Pharmacy: Henry L. Carlton, Williamson county, W. H. Cousins, Dallas county, John A. Weeks, Runnels county, A. W. Griffith, Travis county, Sid Bass, Kaufman county.

In the Senate.

Lieutenant Governor Johnson in the Chair.

Senate Bill No. 76.

The Chair laid before the Senate on second reading:

S. B. No. 76, A bill to be entitled "An Act to amend Article 1430, of the Penal Code of Texas, prescribing and punishing the offense of fraudulently disposing of mortgaged property, by changing the form of punishment in certain cases and by reducing the minimum punishment."

Senator Caldwell offered the following amendments which were read and adopted, seriatim:

(1) Amend Senate Bill No. 76, page 1, line 18, by inserting after the word "same" the words "or any part thereof."

(2) Amend Senate Bill No. 76, page 1, line 17, printed bill, by striking out the word "fraudulently."

(3) Amend Senate Bill No. 76, page 1, line 17, by striking out word "or" and insert in lieu thereof "of."

The bill was laid before the Senate, read second time and, on motion of Senator Woods to pass to engrossment, the same was lost by the following vote:

Yeas—6.

Alderdice.	Page.
Faust.	Witt.
McNealus.	Woods.

Nays—17.

Buchanan of Scurry.	Hall.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Cousins.	Johnston.
Dayton.	Parr.
Dean.	Smith
Dorough.	Strickland.
Dudley.	Suiter.
Floyd.	

Absent.

Bailey.	Gibson.
Bell.	Westbrook.
Buchanan of Bell.	Williford.
Clark.	

Senate Bill No. 74.

The Chair laid before the Senate on second reading:

S. B. No. 74, A bill to be entitled "An Act to amend Articles 1303, 1304, 1308, 1311, 1312 and 1320 of the Penal Code of the State of Texas, 1911, defining and punishing the offense of burglary and attempt at burglary, distinguishing daytime burglary and night-time burglary, and burglary of a private residence, providing separate punishments, and declaring an emergency."

On motion of Senator Woods the bill was laid on the table subject to call.

Senate Bill No. 138.

The Chair laid before the Senate on second reading:

S. B. No. 138, A bill to be entitled "An Act to amend Article 1350 of the Penal Code of Texas, prescribing the punishment for the offense of theft from the person, by reducing the minimum punishment therefor, and declaring an emergency."

On motion of Senator Woods the bill was laid on the table subject to call.

Senate Bill No. 75.

The Chair laid before the Senate on second reading:

S. B. No. 75, A bill to be entitled "An Act to amend Article 1340 of the Penal Code of the State of Texas, prescribing the punishment for theft of property of the value of \$50.00 or over, by reducing the minimum punishment."

On motion of Senator Woods the bill was laid on the table subject to call.

Senate Bill No. 139.

The Chair laid before the Senate on second reading:

S. B. No. 139, A bill to be entitled "An Act to amend Articles 1354, 1354a and 1355 of the Penal Code of the State of Texas, defining and punishing theft of cattle, hogs, sheep and goats, by reducing the minimum punishment therefor."

On motion of Senator Woods the bill was laid on the table subject to call.

Senate Bill No. 66.

The Chair laid before the Senate on second reading:

S. B. No. 66, being "An Act to provide for the eradication of predatory animals, making an appropriation therefor, and prescribing the manner of its expenditure in co-operation with the Bureau of Biological Survey, United States Department of Agriculture."

Senator Dudley moved the adoption of the committee report carrying the following amendment:

Amend S. B. No. 66 by adding after Section 5 thereof the following:

"Provided, that no person appointed by the Commissioners' Court shall have any authority to enter upon the public or private lands within this State in any county other than in the county where he shall have received his appointment."

Amend the bill by adding after Section 6 thereof the following:

"Provided, that such persons so appointed under the provisions of this Act shall upon request exhibit his certificate of appointment, which shall, among other things, contain a provision that such person is drawing a salary by virtue of such appointment."

The report was adopted.

Senator Dayton offered the following amendment, which was read and adopted:

Amend S. B. No. 66 by adding at the end of the caption thereof the following, "and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 66 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Nays—1.

Suiter.

Absent.

Bell. Gibson.
 Buchanan of Bell. Westbrook.
 Clark. Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed by the following vote:

Yeas—20.

Bailey. Floyd.
 Buchanan of Scurry. Hall.
 Caldwell. Hertzberg.
 Carlock. Hopkins.
 Cousins. Johnston.
 Dayton. McNealus.
 Dean. Parr.
 Dorrough. Smith.
 Dudley. Strickland.
 Faust. Witt.

Nays—1.

Suiter.

Present—Not Voting.

Alderdice.

Absent.

Buchanan of Bell. Page.
 Clark. Westbrook.
 Gibson. Williford.

(Pair Recorded.)

Senator Woods (present), who would vote no; Senator Bell (absent), who would vote aye.

Senate Bill No. 160.

The Chair laid before the Senate on second reading:

S. B. No. 160, A bill to be entitled "An Act to establish and fix the salary of the chairman of the Live Stock Sanitary Commission, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Dean, the bill was laid on the table subject to call.

Senate Bill No. 61.

The Chair laid before the Senate on second reading:

S. B. No. 61, A bill to be entitled "An Act to place under the jurisdiction of the Railroad Commission of

the State of Texas public utilities, etc."

Senator Dorrough moved the adoption of the committee report carrying substitute bill.

The motion prevailed.

S. B. No. 61 pending.

Adjournment.

At 12:05 o'clock p. m. the Senate, on motion of Senator McNealus, adjourned until 10 o'clock tomorrow.

APPENDIX.

Petitions and Memorials.

Senator Smith offered four telegrams from his district in opposition to H. B. No. 25, relating to Dairy and Food Department, and one opposing optometry bill.

Senator Hertzberg presented a petition from citizens of Bandera County favoring protective dog law and stating that dogs destroyed above \$20,000 worth of property annually.

Senator Carlock offered a letter from the manager of a Tyler laundry congratulating the Senate for the passage of the Sunday closing law.

Senator Carlock also offered a resolution from the Terminal and Shop Safety Committee of Hearne, Texas, endorsing the bill to require automobiles to come to a full stop at railway crossings.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, Feb. 15, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 195 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 92 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 144 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 127 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 251 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 17, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 260, A bill to be entitled "An Act to validate all sales of public free school land made by the State of Texas, by authority of the Acts of the Legislature of date April 12 and 14, 1883, wherein the State did not by its award of sale or classification of such lands specifically reserve the minerals in such lands, be and the same are hereby validated, and the State of Texas hereby relinquishes unto the owners of said lands all of its right and title to said lands and minerals, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

CALDWELL, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 258, A bill to be entitled "An Act to validate the sales of public free school lands on condition of settlement, in cases where purchaser settled on the land but failed to get his affidavit in the Land Office within the time required by law, and in cases where the purchaser was forced to leave the land on account of the drouth, and in cases where the purchaser was drafted into the services of the United States, and declaring an emergency,"

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass.

CALDWELL, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 237, A bill to be entitled "An Act amending Chapter 147 of the Acts of the 34th Legislature for the collection of delinquent taxes, provided for a reasonable compensation for report of an abstract company or individual abstractor as to the record owner of property reported delinquent, and as to the holders of any liens against said property and report as to subsequent conveyances; charging such fee as additional costs against the delinquent lands, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

CALDWELL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred

S. B. No. 255, A bill to be entitled "An Act to amend Section 2, Chapter 8, of the General Laws of the First Called Session of the Thirty-fifth Legislature, entitled 'An Act to create a State Council of Defense,' so as to extend the period of its existence for six months after a final treaty of peace has been signed and

published, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

HERTZBERG, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 287, being a bill to be entitled "An Act for the formation of corporations to contract for and make blue prints, mimeographs and do plat work, and declaring an emergency,"

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

H. B. No. 100, being a bill to be entitled "An Act to amend Article 7805 of Chapter 1 of Title 130, of the Revised Civil Statutes of Texas of 1911, as amended by the Act of the Regular Session of the Thirty-fifth Legislature of the State of Texas, approved February 23, 1917 (pages 63 and 64, Session Acts, Regular Session Thirty-fifth Legislature of Texas), so as to define the terms upon which certain foreign corporations whose permits to do business in Texas have been forfeited may be readmitted to do business in Texas, and declaring an emergency,"

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Insurance and Banking, to whom was referred Senate Bill No. 211, have had the same under consideration, and I am

instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

TWENTY SIXTH DAY.

Senate Chamber,
Austin, Texas, Feb. 18, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Hertzberg:

S. B. No. 307, A bill to be entitled "An Act to amend Article 167, Chapter II, Title 10, of the Revised Civil Statutes of the State of Texas of 1911, relating to the treatment and maintenance of patients in the Pas-